

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

LINDA GROSSLIGHT,

Plaintiff,

Case No. 06-11033

v.

Honorable John Corbett O'Meara

PHD MICHIGAN,

Defendant.

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**ORDER OF PARTIAL DISMISSAL**

Plaintiff Linda Grosslight filed a six-count complaint in this court March 9, 2006, alleging the following causes of action: Count I, violation of the Family and Medical Leave Act of 1993, 29 U.S.C. § 2601; Counts II and III, violations of the ADEA, 29 U.S.C. § 621; Counts IV and V, violations of Michigan's Elliot-Larsen Civil Rights Act; and Count VI, intentional infliction of emotional distress.

While alleged violations of federal law are cognizable in this court pursuant to 28 U.S.C. § 1343, Counts IV, V, and VI are based solely on state law. Since the parties to this matter are not diverse, this court declines to exercise supplemental jurisdiction over these claims so as to avoid jury confusion. See 28 U.S.C. § 1367(c); United Mine Workers v. Gibbs, 383 U.S. 715 (1966); Padilla v. City of Saginaw, 867 F. Supp. 1309 (E.D. Mich. 1994).

Therefore, it is hereby **ORDERED** that Counts IV, V, and VI are **DISMISSED**.

s/John Corbett O'Meara  
John Corbett O'Meara  
United States District Judge

Dated: May 11, 2006